

STARR COUNTY SHERIFF'S OFFICE

INVESTIGATIVE REPORT

By: Investigator Esmeralda Muniz #208 Starr County Sheriff's Office	Date of Occurrence: 01/08/2022
Offense 1: Murder Offense 2:	Location of Occurrence: Starr County Memorial Hospital
Case Number: 2022-00085	

Victim: Jasiel Alessandro Herrera

Date of Birth: 01/08/2022

Address:

Telephone Number:

Defendant: Lizelle Herrera

Date of Birth: 12/07/1995

Address: 30 Robin Dr/Falcon Heights TX 78545

Telephone Number: 956-437-0905

SYNOPSIS

Reference is made to Starr County Sheriff's Office Case Number (2022-00085) prepared by Starr County Deputy Ranell Rosa #134. On January 11, 2022 at about 1:19pm, Deputy R Rosa #134 was dispatched to the Starr County Memorial Hospital. Upon arrival, contact was made with Rio Grande City Police Department Investigator Roy Pena who briefed me on the ongoing incident in question. Deputy Rosa #134 later spoke with Starr County Memorial Hospital charge nurse Martha Torres (956) 534-4215. Martha stated she wished to document a report in regards to Texas Abortion Restriction Law (SB

8). Martha stated that on 01/07/2022 (evening hours) a female by the name of Lizelle Herrera DOB: 12/07/1995 arrived at the aforementioned hospital and stated she was about twenty weeks pregnant. That Lizelle stated she felt pain her abdomen, upon further examination, the physician discovered what appeared to be pill residue. Lizelle later stated to the physician she had inserted an unknown pill into her vaginal cavity, which she purchased in the county of Mexico, in efforts to induce the labor of the unborn child. That Lizelle had stated she induced labor with the foreign substance (pill) after a verbal argument ensued between her and Ismael Herrera (Spouse). The physician was able to intervene and successfully stop the medically induced labor pursued on Lizelle's behalf. That before Lizelle was discharged at about noon on 01/08/2022, the unborn child that was later classified as "Boy Herrera" had a steady heartbeat. That Lizelle returned to the hospital, in the later hours of the same day with Boy Herrera partially protruding from the vaginal cavity. That for Lizelle's safety, the physician conducted an emergency surgery to remove Boy Herrera from Lizelle's person. Deputy Rosa was informed by Nurse Martha Torres that Lizelle had three other children of her own at her residence located at 30 Robin Drive. Child Protective Services was later contacted and informed of the situation. Deputy Rosa spoke with CPS Case Worker Megan ID#5211 who provided reference number 75851761.

Investigative Report

January 12, 2022

At about 11:30am an interview was conducted with Doctor Rodolfo Lozano DOB: 2/23/1966. Doctor Lozano advised he has been an OBGYN in the community of Starr for twenty years. Doctor Lozano advised he treated Lizelle Herrera on January 7, 2022 when Lizelle arrived at the Starr County Memorial Hospital with abdominal pain. Doctor Lozano advised Lizelle Herrera was twenty weeks pregnant. Doctor Lozano also mentioned that Lizelle Herrera is his patient for the pregnancy at his private clinic.

Doctor Lozano advised that the new law the Governor signed is that a person is not allowed to do an abortion on themselves or get assistance from a people after six

weeks. Doctor Lozano advised that Herrera had twenty weeks of gestation and three prior C-section, and an established patient at Doctor Lozano's office.

Doctor Lozano advised that she arrived at the Starr County Memorial Hospital complaining of acute pelvis pain. Doctor Lozano went on to say that upon doing a pelvis examination while Nurse Paula was present, Herrera had in her vaginal cavity two pills of Cytotec 200mg half way dissolved. Doctor Lozano advised a rectal exam was done and no pills were found there and Herrera denied having taken pills orally.

Doctor Lozano advised that Herrera denied having done anything but when Doctor Lozano showed Herrera the pills, Herrera admitted that she had put the pills in. Doctor Lozano advised he asked who had provided Herrera with the pills, to which Herrera told Doctor Lozano she had gone to Miguel Aleman Mexico to get them. Doctor Lozano told Herrera she had to say the truth because he (Doctor Lozano) was going to report this to the police. Herrera then told Doctor Lozano that she got the pills here in the United States and that a friend of hers (Herrera) had provided her (Herrera) with the pills. Doctor Lozano advised the name is written on his medical notes.

Doctor Lozano advised that those pills Cytotec are taken for ulcers in the stomach, if a person is not pregnant. Doctor Lozano went on to say that if you are pregnant and take Cytotec, orally, vaginally or rectally the person will have an abortion because it will make the cervix very short and the cervix will open and there will be forceful contractions and the membrane is going to break and the baby is going to come out.

Doctor Lozano removed the pills and then asked Herrera, what it was that she wanted to do. Doctor Lozano advised that Herrera told him, she (Herrera) wanted to stop the process. Doctor Lozano advised that once Herrera authorized that, Doctor Lozano washed the vagina area with irrigation and washed all the chemical out. Doctor Lozano advised Herrera was put on medication to stop contractions called Magnesium and Herrera was put on a medication, called Indomethacin, stop the inflammatory process the pill Cytotec produces. Doctor Lozano advised that Herrera stayed overnight at the Starr County Memorial Hospital and the contractions were stopped. Herrera advised Doctor Lozano the pain had gone away.

Doctor Lozano advised that the next day (01/08/2022) at 7:00am he leave Starr County Memorial Hospital to go to another Hospital and that is when Doctor Ramirez, takes over Herrera. Doctor Ramirez is partner of Doctor Lozano in the same clinic.

Doctor Lozano advised that the following day 1/8/2022, after spending the night at the Starr County Hospital, Herrera had a monitor on, monitoring the baby's Herrera had no contractions and Herrera's cervix was closed therefore Herrera was allowed to go home. Doctor Lozano advised Herrera was cleared from the effect of the attempt to provoke an abortion. Herrera did not have any active process anymore. Doctor Lozano mentioned that the Starr County Hospital was very cooperative in opening the pharmacy up that night to look for a specific medication to stop labor. Doctor Lozano advised that he was not the treating Doctor for the following day, it was Doctor Luis Ramirez. Doctor Lozano also advised that the medication used to induce the labor is also known as Misoprostol 200mg. Doctor Lozano advised that once he removed the pills from Herrera's vaginal area, he put the pill on Herrera's stomach and showed her the pills and told Herrera "you are using Cytotec to induce an abortion. Doctor Lozano advised that Herrera at that point, admitted to Doctor Lozano that yes she was using Cytotec to self-induce an abortion. Doctor Lozano advised Herrera told him the reason for the self-induced abortion was because she did not want the baby, but that then Herrera changed her mind. Doctor Lozano advised he thinks Herrera went to the hospital because Herrera had a very strong pain from attempting the abortion and that Herrera had never delivered vaginally only via C-section (three prior c sections) and putting herself at risk of rupturing the uterus. Doctor Lozano advised that those forceful contractions can tear apart the prior three scars. Doctor Lozano advised that had he not found the pills in Herrera's vaginal area, Herrera would have not told him.

Doctor Lozano advised he thinks the effects were stop with all the medications that were given to Herrera but it did prime the cervix to continue the process if its helped or persistent or an infection is acquired. Doctor Lozano advised that because from the time she left the hospital with a closed cervix to the time we came back, passing the membranes it was a short period of time, to the Doctor's understanding (about an hour).

Doctor Lozano advised Herrera arrived at the Starr County Memorial Hospital Emergency Room complaining of pain, Emergency Room called Doctor Lozano and advised Doctor Lozano that if they could send Herrera to the back because there were a lot of Covid cases in the Emergency room and Doctor Lozano advised them to send Herrera to the back (Obstetrical Unit). Doctor Lozano advised that once at Herrera was in the room, a nurse gave Herrera a gown to change into while Doctor was delivering a baby in the next room. Doctor Lozano advised Paula was the nurse with Herrera. Doctor Lozano advised that once he was finished with the deliver, I saw Herrera's face in pain and Doctor Lozano immediately went into the room to check her. Doctor Lozano advised that his concern was that the patient Herrera was having pendsites or passing a kidney stones or the cervix is failing and the baby is coming out. Once she was on the monitor, Doctor asked permission to examine Herrera and Doctor Lozano grabbed a glove and examined Herrera. Doctor Lozano advised that upon finding the pills in Herrera's vaginal area, the pills were partly dissolved, one of the faces of the pill was dissolved but the other face still had the name. Doctor Lozano advised he found two pills in Herrera's vaginal area. Doctor Lozano advised that he asked Herrera what she wanted to do, because Herrera has a choice over her body but under the law Herrera cannot self-induce an abortion after six weeks of gestation. But under the general law, Herrera still owns her body and Herrera could say that she (Herrera) did not want anyone to touch her, and we (Doctors) cannot touch her. Doctor Lozano advised that if the pills had not been removed Herrera would have had the miscarriage that same night. Doctor Lozano advised that once Herrera gave them permission to stop contractions that is when Doctor Lozano then washed vaginal cavity completely several times until it was completely rinsed. Doctor Lozano advised he then asked for the medication. Doctor Lozano advised that while the nurse prepared the magnesium he called the Hospital charge supervisor and the hospital pharmacist came from her house to hand over the other medication to stop abortion. Indomethacin is anti-inflammatory but it works very well to stop the inflammatory process started by the Cytotex. Herrera was administered 50mg of the Indomethacin and then 25mg every six hours continuously over the night. Doctor Lozano advised that with the magnesium and the indomethacin the contractions stopped. Doctor Lozano advised that Herrera did very well over night once the contractions were stopped.

Doctor Lozano advised that by 9:00 o'clock she had all the medication to stop the process of the abortion and she continued the medication all through the night. Doctor Lozano advised that the next day he left at 7:00am and Doctor Luis Ramirez took over Herrera. Doctor Lozano advised that he knows that Doctor Luis Ramirez examined Herrera and there were no cervical change, the cervix was closed.

Doctor Lozano advised that Herrera was being seen at his Office for this twenty week old pregnancy and Herrera had established care. Doctor Lozano advised they ran a drug test and a covid test and both test were negative. Doctor Lozano advised that Herrera needs to go by his office because when the baby had the membrane ruptured and the baby got in transverse presentation it was too big for Herrera to pass the baby in a cervix that was not dilated so Herrera ended up having a c section to remove a dead baby in a transverse presentation. Doctor Lozano advised that Herrera's c section was performed by Doctor Ramirez. Doctor Lozano added that before he left at 7:00am on January 8, 2022 Herrera told Lozano she (Herrera) had no more pain. Doctor Lozano advised that he returned to the Hospital on January 9, 2022 and discharged Herrera on Monday January 10, 2022.

Doctor Lozano went on to say that when he removed the pills from Herrera vaginal cavity, Herrera told Doctor Lozano she (Herrera) did not want no one in her family to know, the information that she (Herrera) was attempting an abortion. Doctor Lozano advised that becomes a HIPPA violation and then the family was mad outside. Because Herrera told her family of problems with pregnancy that led to that, and well Doctor Lozano advised he could not do anything and just stayed quite. Doctor Lozano advised Herrera never disclosed to him why she (Herrera) had done it and they did not ask because Herrera was in pain. Doctor Lozano advised that Herrera did not allow any family to go in with her only at the end after the c section the only person that went in with Herrera was Herrera's mother.

Doctor Lozano went on to explain that in his opinion, that Herrera changed her status and precipitated the miscarriage, one of the choices is that the inflammatory process despite that it was stopped mechanically that Herrera was not having contractions she continued to make the cervix thinner and the membrane came out, that is one possibility and the other possibility that Herrera or someone got the pills, dissolved them

in water and put the pills back in the vagina and that will be very effective or take the pills by mouth also very effective too.

Doctor Lozano explained that the cervix has a lot of collagen fibers and very little muscles, once you start inducing the abortion that process microscopically can continue. Doctor further explained if Herrera was ten weeks, the cervix is harder to thin out but Herrera was twenty weeks, that cervix has more receptors now and is easier to thin out.

Interview concluded at 11:54am

January 14, 2022

At about 11:00am I met with Doctor Luis Alberto Ramirez Navarro DOB: 06/22/1970. Doctor Ramirez advised he has been in practice for twelve years in the obstetrician unit.

Doctor Ramirez advised the first time he saw Herrera was on January 8, 2022, he started covering his call at 8:00am. Doctor Ramirez advised he saw patient (Herrera) at 8:03am, as a twenty six year old, nineteen weeks and five days pregnant with a diagnosis of attempt abortion. Doctor Ramirez advised that Doctor Lozano explained the case to him of when he assessed the patient (Herrera). Doctor Ramirez went on to say that Doctor Lozano had given Herrera medication to stop the process of abortion. Herrera was contracting and with pain when she was admitted to the Starr County Memorial Hospital. Doctor Ramirez advised that when she saw the patient (Herrera), Herrera was in bed and stable. Patient (Herrera) was not bleeding and there was fetal heart tones present. Doctor Ramirez advised that at that time they stopped the medication Lozano had giving Herrera because the treatment was for twelve hours. Doctor Ramirez discussed the case with the patient (Herrera) that she (Herrera) will be discharged, that she (Herrera) needed to follow as outpatient with Doctor Lozano, Herrera was given all the precautions in case Herrera would go in to labor and Doctor prescribed medication to stop labor.

Doctor Ramirez advised he saw Herrera on January 8, 2022 at 8:30am before Herrera was discharged. Doctor Ramirez read from his medical notes, status post vaginal Cytotec 400micro grams for abortion attempt, patient was on magnesium sulphate indolcin 25miligrams, currently patient is asymptomatic, no vaginal bleeding, no discharge, positive fetal heart tones at 140 beats per minute, utherin contraction resolved at that time, pelvic exam no cervical change, no active bleeding, sonogram shows single introuterin pregnancy with a anterial placenta, normal amniotic fluid and positive for the heart tones. Patient's hemoglobin were at 8.5. So the plan at this time was stable, afebrile, no uterine contractions, chronic anemia, positive fetal heart tones, no cervical dilation. Plan discharge home with follow up with Doctor Lozano as an outpatient on January 12, 2022. Prescribed to Herrera was the vaginal progestrone 200micro grams a day to prevent labor and all pertinent labor precautions given. Doctor Ramirez advised Herrera was discharged about two or three hours after he saw her.

Doctor Ramirez went on to say that at 1:30pm January 8, 2022, Herrera returned to the Starr County Memorial Hospital with an emergency team by ambulance and he received the patient (Herrera). Patient presented with open cervix, three centimeters dilated bulging membranes and no fetal heart tones present at this time. Doctor Ramirez observed the amniotic bag was coming through the vagina but the baby still inside the uterus, Herrera was not bleeding at this time but because the cervix was open, now rather to be just abortion attempt now we had an inevitable abortion. When the cervix opens, now it's an inevitable abortion. Doctor Ramirez advised that at that time he orders a sonogram to look for fetal heart tones because the treatment will be completely different if we have baby heart tones present or not. Doctor Ramirez advised that the sonogram showed no fetal heart tones. Doctor Ramirez advised that the amniotic membrane was coming through the vagina, so I spoke to the patient (Herrera) that we had no fetal heart tones and that there were three different options. Doctor Ramirez, went on to say that the first option was observation and let her (Herrera) go on her own, second one is medical therapy and start medications which will continue with the contractions and have a complete abortion, third option will be to have a cesarean section. After Doctor Ramirez explained all three options to patient (Herrera) decided to go with option of medical therapy which is give her medication for contractions or give her the same medication Cytotec administered via vagina. At that time because Doctor Ramirez knew that the contractions were going to be painful and he did not want to further stress the patient he

called the anesthesiologist to perform a spinal. At the time that the Anesthesiologist was performing the spinal the patient's water broke and Doctor Ramirez did a pelvic exam. The patient (Herrera) decided to do a hormonal therapy. Doctor Ramirez then applied the cytotec medication to start the contractions. Doctor Ramirez stated that cytotec is a medication used for the induction of labor or abortion but when there is a miscarriage already not as an elective and there is documentation and before he does anything he request a sonogram. Doctor Ramirez stated that after he applied the medication he observed that the baby was flipped and in a transverse position was going to be very difficult to deliver that way. Doctor Ramirez spoke to the patient and recommended a c-section because patient had already had three previous Cesarean Sections it was going to require for the patient to take more medications. Cesarean Section was performed by Doctor Ramirez and everything went without any complication to the patient. Investigator Rafael Acuirre asked Doctor Ramirez that when the patient was released from the hospital the first time she was in ok health what could have caused her health to deteriorate in such a short time. Doctor Ramirez stated that cytotec is a medication that is named misoprostol and what that medication does, it digest the fibers from the cervix that makes the cervix close and this medication is going to make the cervix soft and it dilates and she is going to have contractions, that's how the medication works. Doctor Ramirez explained the patient was under medication, magnisum sulfate and indocine which makes process to decrease or try to stop, however the medication is just for twelve hours, after that period of time if the swelling, If the inflammation pass sometime either way it going to continue. When asked if the medication cytotec had a delayed effect, Doctor Ramirez advised, yes, the fibers are already broken and you have the effect of the inflammatory process. Doctor Ramirez advised he did not see anything out of the ordinary other then the bulging membranes and the baby is still inside the uterus, in the lower part of the uterus but it is still inside. Doctor went on to say there was no vaginal trauma.

Doctor Ramirez advised that after talking to nurses, they said the patient (Herrera) was with no pain, on the bed, talking on the phone, Herrera was doing well and did not complain of any pain. Doctor Ramirez advised that when he saw Herrera the second time, he asked Herrera "what happened?" Doctor Ramirez advised Herrera told him, she just started feeling pressure and that she had seen the bag come out through the vagina. Doctor Ramirez advised he performed the c-section on Herrera and Doctor advised that at that particular time the fetus looks like swollen and with hemeriage. Doctor Ramirez

advised he believes the baby heart stopped probably one or two hours before. Doctor Ramirez advised why it happens, it can be for two ways, the first one, this medication is going to make the cervix thin but also its going to produce contractions, with these contractions if the membranes and the placenta detach the baby will not receive oxygen so the baby will pass. Doctor Ramirez advised that when he opened the sack, the sack looked bloody a little bit and when Doctor Ramirez opened the c-section is was blood. Doctor Ramirez advised that he assumed that because of the contractions from the uterus, the placenta and the bag were detached and the baby does not have any more oxygen. Doctor Ramirez advised that this is the purpose of the medication Cytotec.

Doctor Ramirez advised the fetus was pronounced deceased since the beginning when the sonogram was performed and there was no fetal heart tones. Doctor Ramirez went on to say that the time of death for the fetus was approximately 1:30pm. Doctor Ramirez advised Herrera stayed forty eight hours, that is what it is normally for c-section surgery by routin. Doctor Ramirez advised Herrera is Doctor Lozano's patient but Doctor Ramirez did see her possibly one to two times during the prenatal care. Doctor Ramirez advised Herrera's pregnancy was a high risk pregnancy due to three previous c-sections. Doctor Ramirez advised that basically, that was the only reason it was high risk, because of the previous c-sections. Doctor Ramirez advised that one of Herrera's visit with him was because of cramping. That Herrera mentioned having some cramping. Doctor Ramirez advised that he did not know if this was important but Herrera was requesting that Doctor Ramirez check the baby's heart. Doctor Ramirez advised that is not on the medical chart though. Doctor Ramirez advised Herrera was requesting a sonogram to check the baby's heart. Doctor Ramirez advised Herrera he had already checked the baby's heart with the Doppler and that everything was ok. Doctor Ramirez advised Herrera insisted on requesting a sonogram, in which case Doctor Ramirez told Herrera she was there for cramping and that everything was fine. Doctor Ramirez advised that other than that, nothing else happened. Doctor Ramirez also mentioned he feels that is normal in most patients, to ask for a sonogram because they want to see the baby. Doctor Ramirez advised that at that time he did not thing anything was wrong. Doctor Ramirez advised that occurred possibly around when Herrera was in between nine or eleven weeks into the pregnancy. Doctor Ramirez advised Herrera had an IUD as a form of contraceptive, which was placed by Doctor Lozano and on the notes is shows Herrera got it removed in Mexico in August and then got pregnant in October. Doctor

Ramirez advised Herrera never disclosed with him if the pregnancy was an unwanted pregnancy. Doctor Ramirez explained that an IUD is a Intrauterine Device, Doctor Ramirez advised its like a T that gets inserted to the uterus, and it is done vaginally and it last for three years and that is the one Herrera had.

Interview was concluded at 11:34am

January 31, 2022

At about 1:29pm, Investigator E Muniz #208 and Investigator R Aguirre #205 met with Lizelle Herrera DOB: 12/07/1995, on voluntarily basis for an interview. Herrera was read her Miranda warnings, which were initialed and signed as Herrera understood her Miranda Warnings. Herrera wished to speak to us in reference to the abortion.

On January 7, 2022 Herrera advised she went to the Starr County Memorial Hospital because she was having contractions. Herrera advised she was between seventeen to eighteen weeks pregnant. Herrera advised that she was at home, 30 Robin Drive in Falcon Heights when she started having contractions. Herrera advised her husband, Ismael Herrera, drove her to the Starr County Memorial Hospital. Herrera advised she was admitted to the Starr County Memorial Hospital and her contractions were controlled. Herrera advised she was there overnight. Herrera advised she was released on January 8, 2022 around lunch time. Herrera advised after she was released she went to grandma's, Josefa Montoya, house, behind the Dollar store on Hospital road.

Herrera advised before she got down from the vehicle, she gave her prescriptions to her grandpa, then she got down. Herrera advised when she got inside the house, her grandma asked her where she wanted to lay down and Herrera advised grandma she would lay down in the guest room but first she needed to go to the restroom to pee. Herrera advised she put her purse in the room, then went to the restroom and pee'ed and then she wiped and put the toilet paper in the trash, then she got up to pull up her leggings the sack came out and then we called the ambulance. Herrera advised the sack was coming out vaginally. Herrera advised that it wasn't even twenty minutes after she had gotten released from Hospital that the sack came out vaginally. Herrera advised at 12:00pm she walked out the hospital through a side door and at 12:20pm I already was on

the bed with the sack coming out of her vaginal area. Herrera advised she held the sack with her hand as she walked to the bedroom and at 12:20pm she took a picture with her phone of the sack coming out of her vagina. Herrera advised they kept asking her what had happened, to which Herrera replied, nothing happened, it hadn't even been fifteen minutes that she had been released from the Hospital. Herrera went on to say that before she got released, he had lunch then she walked to the hallway to look for a nurse, because no one would respond to the nurse push button call that she had pressed. Herrera advised she found a nurse and she told the nurse, she was ready and that her grandparents were outside in the front ready to pick her up. Herrera advised the nurse told her she needed to wait because they were busy delivering a baby. Herrera advised that as she was going to sit in the room, another nurse told her to hurry up and come so nurse could take her outside to be released. Herrera advised at that point she grabbed her purse and started walking towards the nurses station at which point Herrera advised the nurse told her that they were going to take her through the side exit. Herrera advised that once they were outside, nurse asked if she could see the vehicle, to which Herrera replied "Yes" so nurse told her to walk to the vehicle and that was how she was released from the Hospital. Herrera advised she was not wheeled out in a wheel chair.

Herrera returned to the Starr County Memorial Hospital on January 8, 2022 at about 12:30pm with her sack coming out of her vagina. Herrera advised she was taken through the emergency room, where she was asked questions and then put in the old room where she had been earlier. Herrera advised she was given medication to give birth and about an hour or two later, medical staff come in the room to do an ultrasound on Herrera, at this point Herrera was informed that the baby did not have a heartbeat anymore and that the baby was breached. Herrera advised she said "OK". Herrera advised that all this time, she had the sack coming out of her vagina, only the sack no baby because the baby was breached. Herrera advised that the nurse asked about medication measurements, if nurse would give Herrera a two or three and nurse was advised to put Herrera on a six so Herrera would expel the baby. Herrera advised she thought to herself, "how am I going to expel the baby if its breached". Herrera advised she was in pain with contraction for the next four hours but could not deliver the baby, and all that time with the sack half way out her vaginal area. Herrera advised she requested to have a c-section, Herrera advised all her pregnancy's in the past had been c-sections. Herrera advised that medical staff kept telling her she was going to expel the

baby. Herrera advised that she was alone for those four hours in full birth pain and contractions but unable to deliver the baby. Herrera advised she did not have a nurse call button but she would yell out for nurse and no one would come to her room. Herrera advised she had to call her Mom and told Mom to make her way to Hospital and tell the medical staff to give her something for pain because medical staff had not given her anything for pain and she could not tolerate the pain anymore. Herrera went on to say that once her Mom gets there, talks to medical staff, Herrera gets the epidural shot. Herrera advised that she got poked with the needle about fifteen times before they got it right. Herrera advised that medical staff wanted her to sit down but Herrera advised she could not sit down because she had the sack coming out of her vagina. Herrera advised that medical staff told her it was too bad, she had to sit down. Herrera went on to say she sat down and the sack coming out of her vagina broke and leaked water. At that point, Herrera advised she got poked again with the needle and after that she was asked to lay down. Herrera advised that at about 5:00pm the Doctor came in to her room to see her and that the Doctor told her he was going to have to perform surgery on her and so Herrera was taken to the operating room. Herrera advised that after that, she doesn't know anything that happened. Herrera advised after the surgery she stayed another two night in the hospital. Herrera advised she was released on January 10, 2022.

Herrera advised that before surgery she was asked if she wanted the baby to go to pathology or the funeral home, to which Herrera replied "the funeral home".

Went back to January 7, 2002 when Doctor Lozano saw Herrera. Herrera advised that at her house, she had inserted two pills of cytotec in her vagina to self induce labor to have an abortion. Herrera advised that right after she did that, she regret it and then she had her first contraction. Herrera advised that by the time she got to the hospital, the pills had not dissolved completely, that Doctor Lozano was able to take them out of her vaginal cavity. Herrera advised Doctor Lozano told her he was going to help her and that he was going to put her on medication and that everything was going to be ok. Herrera advised she replied to Doctor Lozano by saying "OK". Herrera advised Lozano had told her about a surgery but Lozano did not perform any surgery on her because Ramirez discharged her from the hospital the first time.

Herrera advised that she had gotten those pills in Mexico. Herrera went on to say that she told Doctor Lozano that a lady in Mexico had given her those pills, because here in the United States you won't find those pills. Herrera advised that Oneida Ramirez told her where she could find the pills that Oneida Ramirez did not provide her with the pills. Herrera advised that she went to pharmacy in Mexico where Oneida Ramirez told her and she bought the pills, more expensive but she bought the pills. Herrera advised she bought the pills when she found out she was pregnant, and that was in October 2021. Herrera advised she bought the package of pills and only used two pills and threw the rest. Herrera advised she doesn't know how many pills come in the package. Herrera advised she threw them but when she inserted two pills into her vaginal cavity she regret it and threw them away. Herrera advised that anxiety got the best of her. Herrera advised that she found out she was pregnant when she took a visit to the emergency room because she was sick. Herrera advised the pregnancy was not planned. Herrera advised this was back in October 2021. Herrera advised she was going to have surgery for gallbladder stones but was unable to perform such surgery because Herrera was pregnant. Herrera was on pain medication. Herrera advised that after that medical staff was to get on a diet. To which Herrera replied "OK". Herrera advised that for the next four months everything she would eat she would vomit. Herrera advised she never felt good always just feeling sick. Herrera advised she thought the reason for her sickness was the pregnancy. Herrera advised that she noticed at this time her anxiety getting a lot worse and Herrera feared something was going to happen because she wouldn't eat and what she would eat she would vomit. Herrera advised that if she would drink water she would vomit the water. Herrera advised there was nothing that would help her feel better.

Herrera advised that in December 2021 she was bleeding, she went to the doctor office and requested an ultrasound. Herrera advised she told the doctors office, her insurance did not cover the ultrasound but that she would pay for it. Herrera advised that the doctors visit that time was with Doctor Ramirez. Herrera advised that Doctor Ramirez told her that if the baby was going to be a miscarriage it would be a miscarriage. Herrera told them that the night before she had pains and she wanted to know if everything was ok. Herrera advised that Doctor Ramirez did not do anything. When asked if she had taken anything back in December 2021, Herrera advised she already had the pills but that she had not taken any pills, the pills were just there at home. When asked with what purpose had she bought those pills, Herrera advised, just in case I would

regret it. Herrera advised she did not know the pills were illegal until hospital staff explained it to her. Herrera advised she did not buy the pills with the intention to help anyone else because not even my husband knew that I had those pills. Herrera advised that her husband found out about the pills when Child Protective Services showed up at their home. Herrera advised her husband asked her why she had done it and Herrera told him that because she did not feel like herself, she just wanted to be home and in bed in her bedroom. Herrera advised she did not want to do anything or go anywhere because everything made her nauseas and everyone would eat and she couldn't eat, because she felt sick most of the time. Herrera advised that on that day that she inserted the pills in her vaginal cavity, she felt so nauseas and she was already taking two medications for the nauseas and that wouldn't help her. Herrera advised that it was not over any argument with her husband, that her husband is very passive. Herrera also advised she did not tell any medical staff or nurse that she had inserted the pills in her vaginal cavity because of an argument with her husband. Herrera advised that she told the nurses and medical staff that the reason she self induced by inserting two pills in her vaginal cavity for an abortion was because she did not feel well, she was always sick. Herrera advised that she is on her seventh year of marriage and has only been separated once, which was for about three or four months and that was about three years ago. Herrera went on to say that the only reason she did it was because she was not feeling good she was sick. Herrera advised she was very anxious, that she would wake up in the middle of the night feeling very anxious. Herrera advised that she doesn't know why she was feeling anxious if she was not going through anything stressful in her life at that time. Herrera advised that honestly she doesn't worry about anything because she lives well. Herrera advised she kept telling her self it was pregnancy and after she inserted the two pills in her vaginal cavity to self induce the abortion, Herrera advised she immediately regret doing it. Herrera advised that when she got her first contraction she told her husband, she did not feel well and for her husband to take to the hospital. Herrera advised that was when Doctor Lozano found the pills in her vaginal cavity. Herrera went on to say that Doctor Lozano told her everything was going to be ok, and administered medication through the vain. Herrera advised that Doctor Lozano told her that if the medication did not work then he (Doctor Lozano) would perform surgery on her cervix. Herrera advised that the surgery would be sewing the cervix and that would help Herrera's pregnancy. Herrera advised that the following day, Doctor Ramirez was the one who released her from the Hospital. Herrera advised that when she saw Doctor Lozano again, Doctor Lozano did not want to see her

and that Doctor Lozano would get real red, because Doctor Lozano has been Herrera's doctor for years.

Herrera advised that she learned the procedure of said pills used by googling the procedure for an abortion on Google. Herrera advised that the crossing from December 9, 2021 into Miguel Aleman Mexico from Roma Texas was not the time she bought the pills. Herrera advised that was the time she found out of her bleeding. And the crossing of January 11, 2022 into Miguel Aleman Mexico from Roma Texas she went to go deliver a title from a motorcycle. Herrera advised that the passenger on January 11, 2022 was her sister in law Aleida Gomez.

Herrera advised she did not insert anymore pills in her vaginal cavity after she was released from the Starr County Memorial Hospital and went to her grandmothers house. Herrera advised she had thrown those pills at her house the first time she inserted those two pills in her vaginal cavity to self induce an abortion. Herrera advised she did not take any pills orally nor anally she had just inserted them vaginally into her vaginal cavity. Herrera advised that Doctor Lozano took the two pills out of her vaginal cavity, because she saw the two pills. Herrera advised the two pills had started the process. Herrera advised that when she left the hospital, she doesn't know if her cervix was closed because obviously she can not put her hand in her vaginal cavity to her if her cervix is closed or not but the Doctor checked her vaginally and told Herrera her cervix was closed and she could go home. Herrera advised she did not have contractions anymore. Herrera confirmed that when she left the hospital, her cervix was closed, she had no contractions and the baby had a heart beat. Herrera advised she was on the monitor at the hospital so she heard the baby's heart beat. Herrera advised that on her second time in the hospital, she had been about over an hour with her sack coming out of her vagina, that was when the Doctor told her the baby did not have a heart beat anymore. Herrera advised that medical staff asked her what had happened and she told them how she had given the prescription to her grandpa and how she had gone inside the grandmas house, how she put her purse on top of little table, how she went to the restroom and pee'd and wiped to clear herself, there was no blood on the paper and how she reached for her leggings and to the point of the sack coming out of her vaginal cavity. Herrera advised she had discharge from the foley catheter but no blood. Herrera advised she called her grandma and then she called 911. Herrera advised she was not at her grandmas long enough to

take (orally) another pill or insert (vaginally) another pill to make the effect again.

Herrera advised she also called her husband and her mother.

Herrera explained that the day her husband drove her to the Starr County Memorial Hospital, her husband was outside the hospital in the truck with her kids. Hospital rules was no one could be inside with patient. Herrera told husband to go home with the kids because it was cold that day.

When asked if anxiety could get the best of her and harm her children, Herrera replied "No". Herrera advised when anxiety hits her she feels anxious but not to the point where I would beat up the kids. Herrera advised Child Protective Services already made their home visit with them at her home. Herrera advised Child Protective Services talked to her and to her three children. Herrera advised that Child Protective Services told her that it did not look like her children were in harm. Herrera advised that she doesn't get the feeling to do things or drugs or anything like that when she feels anxious.

Herrera advised she works at Doctor's Hospital at Renaissance in Rio Grande City Texas, she is a medical assistant for a general surgeon. Herrera advised she does not know why she gets anxiety, she lives well, she earns good paychecks, and that she doesn't suffer from anything. Herrera advised she was suggested counseling but she denied it because she doesn't want to be on medication.

Going back to the January 7, 2022. Herrera advised she worked that day and that after 5:00pm is when she inserted the two pills in her vaginal cavity. Herrera advised no one helped her do it. Herrera advised no one encouraged her to do it. Herrera went on to say she would not encourage anyone else to do it either. Herrera advised she googled the process for the abortion pill.

Herrera talked about third party information received. Herrera advised that someone from the Starr County Sheriff's Office had read the report and had told a family member of hers that Herrera had done that because Herrera did not want to ruin her body. Herrera advised that her sister law called her Mom to tell her information from the police report filed. I asked Herrera if her sister in law works at the Starr County Sheriff's Office to which Herrera replied "No". Herrera advised that her sister in law does not want to

say who told her about the police report. Herrera advised that her sister in law knew about Child Protective Services talking to her and about the pills in her body and that the Doctor had filed a report saying Herrera had done this because Herrera did not want to ruin her body. Herrera advised no one know about this, just her Mom, her husband, the Sheriff's Office, the Doctors and the nurses from the hospital and that is it. Herrera advised she has not talked about it with her sister in law. Herrera advised she called the Child Protective Services Investigator and told her that she knew it was not a good thing what she had done but it was not right whoever told the sister in law. Herrera advised that her sister in law refused to tell her who gave sister in law information but that it is a girl but doesn't know if girl works at the Sheriff's Office or not or if the girls husband works for the Sheriff's Office. I explained to Herrera I was the only female handling her case and that I did not know her now her family. I explained to Herrera that I needed to know who had told her sister in law and if I did not have a name I could not help her. Herrera was advised that if sister in law would give her a name, for her (Herrera) to contact me. Also Herrera advised she did have surgery last year but Herrera advised she did not care about her body she has always been fat.

Herrera went on to say that her Mom told her she was at fault for what had happened to her but Herrera mentioned that she has a lot of complain of the Starr County Memorial Hospital.

Starr County Sheriff Investigator: Esmeralda Muniz #208
